

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION

JEFFERY J. LOUT,

Plaintiff,

vs.

ROXANNE TUSS, et al.,

Defendants.

CV 15-00055-H-DLC-JTJ

ORDER

Plaintiff Jeffery Lout has filed a document entitled “Plaintiff Notice of Objecting to Defendants’ Discovery Disclosures; Privileged and Unprivileged Document as a Motion to Strike pursuant to F.R.Civ.P. 12(f), to Exclude as Inadmissible pursuant to F.R.Evid: 105, 401, 402 and 403.” (Doc. 78.) Mr. Lout objects to the admissibility of documents disclosed by Defendants in discovery. The Court will not determine issues of admissibility at this stage in of the litigation. No discovery documents have been filed and a trial date has not even been set in this matter. Under the Court’s August 1, 2016 Scheduling Order, the parties were required to produce all documents that may be used in proving or denying any party’s claims or defenses. (Doc. 49 at 3.) Just because documents are produced in discovery does not mean that they will be admissible at trial.

ACCORDINGLY, IT IS HEREBY ORDERED THAT Mr. Lout’s Motion to

Strike (Doc. 78) is DENIED.

DATED this 10th day of January 2017.

*/s/ Jahn Johnston*  
John Johnston  
United States Magistrate Judge